APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,881	07/31/2003	Erik Paulsen	03-0477	3033

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EXAMINER
MCCARTHY, CHRISTOPHER S

ART UNIT	PAPER NUMBER
2113	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	10/632,881	PAULSEN ET AL.
	Examiner	Art Unit	
	Christopher S. McCarthy	2113	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _31 July 2003_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _31 July 2003_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1.   Claim 14 is objected to because of the following informalities: The limitation reads

"according to s at least...". Appropriate correction is required.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Gygi et al. U.S.

Patent Application Publication US2003/0196149.

As per claim 1, Gygi teaches a method for verifying operation of an initiator in bus

architecture, comprising receiving a selected characteristic for testing (¶ 0018); controlling a

behavior of a target according to said selected characteristic (¶ 0026); and validating operation of

an initiator, whereby a response of said initiator to said behavior of said target is monitored to

ensure proper initiator operation (¶ 0018, 0028).

As per claim 2, Gygi teaches the method as claimed in claim 1, wherein said receiving of said selected characteristic for testing is part of a full domain testing scheme whereby a receipt of said selected characteristic is a single test of said full domain testing scheme (¶0018, wherein, full domain is interpreted as both initiator and target testing).

As per claim 3, Gygi teaches the method as claimed in claim 1, wherein controlling said behavior of said target includes delivering an executing request to said target, said execution request including a vendor unique command (¶ 0018).

As per claim 4, Gygi teaches the method as claimed in claim 3, wherein said vendor unique command relates to said selected characteristic for testing (¶ 0026).

As per claim 5, Gygi teaches the method as claimed in claim 4, wherein said behavior of said target is controlled by the execution of the execution request by said target (¶ 0026).

As per claim 6, Gygi teaches the method as claimed in claim 1, further comprising validating operation by monitoring a second response of said target to said response of said target initiator (¶ 00340035, wherein, the target responds to the response to the of the initiator).

As per claim 7, Gygi teaches the method as claimed in claim 1, wherein said selected characteristic for testing is at least one of XFER-READY data request size, disconnect boundaries, failure status packets, data overrun injection, data underrun injection, CRC error injection, protocol violations, varying simulated spin up times and scatter gather list variation for data (¶ 0006).

As per claim 8, Gygi teaches a system for verifying operation of an initiator in a bus architecture, comprising: means for receiving a selected characteristic for testing means for controlling a behavior of a target according to said selected characteristic; and means for

validating operation of an initiator, whereby a response of said initiator to said behavior of

said target is monitored to ensure proper initiator operation (¶ 0018, 0026, 0028).

As per claim 9, Gygi teaches the system as claimed in claim 8, wherein said selected

characteristic for testing is part of a full domain testing scheme whereby a receipt of said

selected characteristic is a single test of said full domain testing scheme (¶ 0018).

As per claim 10, Gygi teaches the system as claimed in claim 8, wherein said means for

controlling said behavior of said target includes means for delivering an executing request to said

target, said execution request including a vendor unique command (¶0018).

As per claim 11, Gygi teaches the system as claimed in claim 10, wherein said

vendor unique command relates to said selected characteristic for testing (¶ 0018).

As per claim 12, Gygi teaches the system as claimed in claim 8, further comprising

means for validating operation of said target by monitoring a second response of said target to

said response of said initiator (¶ 0034-0035).

As per claim 13, Gygi teaches the system as claimed in claim 8, wherein said

selected characteristic for testing is at least one of XFER-READY data request size,

disconnect boundaries, failure status packets, data overrun injection, data underrun

injection, CRC error injection, protocol violations, varying simulated spin up times and

scatter gather list variation for data (¶ 0006).

As per claim 14, Gygi teaches the system as claimed in claim 8, wherein said bus

architecture operates according to s at least one of the following protocols: SCSI, SAS and Fibre

Channel (¶0001).

As per claim 15, Gygi teaches a method for verifying operation of an initiator in a bus architecture, comprising: receiving a selected characteristic for testing; delivering an execution request to said target, said execution request including a vendor unique command; executing of said execution request by said target; and validating operation of an initiator, whereby a response of said initiator to a behavior exhibited by said target is monitored to ensure proper initiator operation (¶ 0018, 0026, 0028).

As per claim 16, Gygi teaches the method as claimed in claim 15, wherein said receiving of said selected characteristic for testing is part of a full domain testing scheme whereby a receipt of said selected characteristic is a single test of said full domain testing scheme (¶ 0018).

As per claim 17, Gygi teaches the method as claimed in claim 15, wherein said behavior of said target is controlled by the execution of the execution request by said target (¶ 0026).

As per claim 18, Gygi teaches the method as claimed in claim 15, further comprising validating operation of said target by monitoring a second response of said target to said response of said initiator (¶ 0034-0035).

As per claim 19, Gygi teaches the method as claimed in claim 15, wherein said desired characteristic for testing is at least one of XFER-READY data request size, disconnect boundaries, failure status packets, data overrun injection, data underrun injection, CRC error injection, protocol violations, varying simulated spin up times and scatter gather list variation for data (¶ 0006).

As per claim 20, Gygi teaches the method as claimed in claim 15, wherein said bus architecture operates according to at least one of the following protocols: SCSI, SAS and Fibre Channel (¶ 0001).

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Conclusion

2.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: See attached PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher S. McCarthy whose telephone number is (571)272-3651. The examiner can normally be reached on M-F, 9 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (571)272-3645. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Christopher S. McCarthy
Examiner
Art Unit 2113